**INFORMATION DISCLOSURE STATEMENT**

Applicant : Gene DiPoto  
App. No. : 10/693,250  
Filed : October 24, 2003  
For : METHODS AND APPARATUSES FOR  
TREATING THE SPINE THROUGH AN  
ACCESS DEVICE  
Examiner : Unknown  
Group Art Unit : 3738

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:


Enclosed is form PTO-1449 listing 104 references. Copies of disclosed U.S. patents and/or publications are not included pursuant to PTO waiver of the requirement under 37 C.F.R. § 1.98(a)(2)(i) for applications filed after June 30, 2003. Copies of other references, if listed, are enclosed.

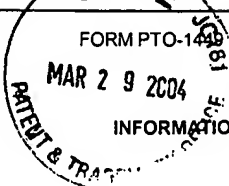
This Information Disclosure Statement is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required in accordance with 37 C.F.R. § 1.97(b)(3). If a first Office Action on the merits was mailed before the mailing date of this Statement, the Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: March 25, 2004

By:   
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Registration No. 51,212  
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Customer No. 20,995  
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 <p>FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(USE SEVERAL SHEETS IF NECESSARY)</p>	ATTY. DOCKET NO. ENDIUS.032A	APPLICATION NO. 10/693,250
	APPLICANT Gene DiPoto	
	FILING DATE October 24, 2003	GROUP 3738

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	1	3,789,852	02/05/74	Kim et al.			
	2	4,545,374	10/08/85	Jacobson			
	3	4,601,713	07/22/86	Foqua			
	4	4,716,901	01/05/88	Jackson et al.			
	5	4,819,620	04/11/89	Okutsu			
	6	4,921,478	05/01/90	Solano et al.			
	7	4,984,564	01/15/91	Yuen			
	8	5,025,778	06/25/91	Silverstein et al.			
	9	5,131,382	07/21/92	Meyer			
	10	5,139,499	08/18/92	Small et al.			
	11	5,163,949	11/17/92	Bonutti			
	12	5,171,279	12/15/92	Mathews			
	13	5,190,561	03/02/93	Graber			
	14	5,195,541	03/23/93	Obenchain			
	15	5,197,971	03/03/93	Bonutti			
	16	5,224,680	07/06/93	Greenstein et al.			
	17	5,287,845	02/22/94	Faul et al.			
	18	5,295,994	03/22/94	Bonutti			
	19	5,312,417	05/17/94	Wilk			
	20	5,354,302	10/11/94	Ko			
	21	5,370,647	12/6/94	Graber et al.			
	22	5,385,606	01/31/95	Kowanko			
	23	5,395,317	07/07/95	Kambin			
	24	5,439,464	08/08/95	Shapiro			
	25	5,454,365	10/03/95	Bonutti			
	26	5,472,426	12/05/95	Bonati et al.			
	27	5,484,437	01/16/96	Michelson			
	28	5,489,307	02/06/96	Kuslich et al.			

EXAMINER	DATE CONSIDERED
<p>*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.</p>	

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	29	5,520,607	05/28/96	Frassica et al.			
	30	5,571,072	11/05/96	Kronner			
	31	5,575,754	11/19/96	Konomura			
	32	5,562,736	10/08/96	Ray et al.			
	33	5,601,690	02/11/97	Gauld et al.			
	34	5,667,520	09/16/97	Bonutti			
	35	5,674,295	10/07/97	Ray et al.			
	36	5,702,454	12/31/97	Baumgartner			
	37	5,707,359	01/13/98	Bufalini			
	38	5,792,044	08/11/98	Foley et al.			
	39	5,795,289	08/18/98	Wytenbach			
	40	5,824,093	10/20/98	Ray et al.			
	41	5,827,319	10/27/98	Carlson et al.			
	42	5,954,635	09/21/99	Foley et al.			
	43	5,961,499	10/05/99	Bonutti et al.			
	44	5,997,508	12/07/99	Lunn et al.			
	45	6,022,376	02/08/00	Assell			
	46	6,110,210	08/29/00	Norton et al.			
	47	6,120,437	09/19/00	Yoon et al.			
	48	6,132,465	10/17/00	Ray et al.			
	49	6,146,422	11/14/00	Lawson			
	50	6,162,236	12/19/00	Osada			
	51	6,171,299	01/09/01	Bonutti			
	52	6,187,000	02/13/01	Davison et al.			
	53	6,240,926	06/05/01	Chin Gan et al.			
	54	6,306,170	10/23/01	Ray			
	55	6,312,443	11/06/01	Stone			
	56	6,338,730	01/15/02	Bonutti et al.			

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	57	6,358,226	03/19/02	Ryan			
	58	6,361,488	03/26/02	Davison et al.			
	59	6,371,968	04/16/02	Kogasaka et al.			
	60	6,383,195	05/07/02	Richard			
	61	6,494,893	12/17/02	Dubrul et al.			
	62	6,497,654	12/24/02	Leonard et al.			
	63	6,524,320	02/25/03	DiPoto			
	64	6,530,880	03/11/03	Pagliuca			
	65	6,530,926	03/11/02	Davison			
	66	6,533,817	03/18/03	Norton et al.			
	67	6,564,078	05/13/03	Marino et al.			
	68	6,602,291	08/05/03	Ray et al.			
	69	6,610,094	08/26/03	Husson			
	70	2001-0011170	08/02/01	Davison et al.			
	71	2001-0049498	12/06/01	Davison et al.			
	72	2002-0002360	01/03/02	Orth et al.			
	73	2002-0165542	11/07/02	Ferree			
	74	2003-0009130	01/09/03	Stecker et al.			
	75	2003-0014068	01/16/03	Bonutti et al.			
	76	2003-0040656	02/27/03	Pagliuca et al.			
	77	2003-0073998	04/17/03	Pagliuca et al.			
	78	2003-0139648	07/24/03	Foley et al.			
	79	2003-0153927	08/14/03	DiPoto et al.			
	80	2003-0191371	10/09/03	Smith et al.			
	81	2003-0195405	10/16/03	Marino et al.			
	82	2003-0195493	10/16/03	Davison et al.			
	83	2003-0195549	10/16/03	Davison et al.			
	84	2003-0195550	10/16/03	Davison et al.			

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	85	2003-0195551	10/16/03	Davison et al.			
	86	2003-0199871	10/23/03	Foley et al.			
	87	2003-0199884	10/23/03	Davison et al.			
	88	2003-0199885	10/23/03	Davison et al.			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
✓	89	EP 0 980 677 A1	02/23/00	European Patent Office				
✓	90	EP 0 528 562 A2	02/24/93	European Patent Office				
✓	91	EP 0 807 415 A2	11/19/97	European Patent Office				
✓	92	EP 0 807 415 A3	08/12/98	European Patent Office				
✓	93	EP 1 305 077 A1	05/02/03	European Patent Office				
✓	94	JP 2000-083960 A2	03/28/00	Japanese Patent Office				X
✓	95	JP 2001-149376 A2	06/05/01	Japanese Patent Office				X
✓	96	WO 01/54560 A2	08/02/01	Patent Cooperation Treaty				
✓	97	WO 02/078767 A2	10/10/02	Patent Cooperation Treaty				
✓	98	WO 02/09801 A1	02/07/02	Patent Cooperation Treaty				
✓	99	WO 92/21292 A2	12/10/92	Patent Cooperation Treaty				
✓	100	WO 93/14801	08/05/93	Patent Cooperation Treaty				
✓	101	WO 94/03114	02/17/94	Patent Cooperation Treaty				
✓	102	WO 95/10218 A1	04/20/95	Patent Cooperation Treaty				
✓	103	WO 95/32663	12/07/95	Patent Cooperation Treaty				
✓	104	WO 03/007783 A2	01/30/03	Patent Cooperation Treaty				

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